IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

WP(C).No. 20859 of 2007(G)

PETITIONER:

HIGHWAY GARDEN(P)LTD.,
N.H. BY PASS, PADIVATTOM, KOCHI-24.
REPRESENTED BY ITS EXECUTIVE DIRECTOR,
ROJAN CHACKO.

BY ADV. SRI.GEORGE THOMAS (MEVADA)
SRI.P.S.GEORGE

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS
PRINCIPAL SECRETARY, DEPARTMENT OF REVENUE,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
IDUKKI.

3. THE TAHSILDAR, DEVICOLAM.

4. THE VILLAGE OFFICER, PALLIVASAL.

BY GOVERNMENT PLEADER SRI. D. SUNIL KUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.20859 OF 2007

DATED THIS THE 13th DAY OF JULY, 2007

JUDGMENT

The petitioner challenges proceedings under the Cardamom (Travancore) Rules, 1935. Notices have been issued. The petitioner has filed his objections and matter was heard. The petitioner filed this writ petition apprehending that immediately after passing orders, the same would be implemented demolishing the petitioner's building.

2. I have heard the learned Government pleader also. In so far as against the orders to be passed, the petitioner has a right of appeal before the Appellate Authority, I am of opinion that the respondents should give the petitioner a breathing time to file an appeal against the orders to be passed if the same is against the petitioner.

In the above circumstances, the writ petition is disposed of with a direction that the orders to be passed pursuant to the impugned proceedings shall not be implemented for a period of seven days of passing the order so as to enable the petitioner to

move the Appellate Authority and obtain stay.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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